



Signed and Filed: October 6, 2022

A handwritten signature in black ink, reading "Dennis Montali", is positioned above the judge's name.

DENNIS MONTALI
U.S. Bankruptcy Judge

Stephen D. Finestone (SBN 125675)
Jennifer C. Hayes (SBN 197252)
Ryan A. Witthans (SBN 301432)
FINESTONE HAYES LLP
456 Montgomery Street, Floor 20
San Francisco, CA 94104
Tel.: (415) 421-2624
Fax: (415) 398-2820
Email: sfinestone@fhlawllp.com
Email: jhayes@fhlawllp.com
Email: rwiththans@fhlawllp.com

Attorneys for Kyle Everett,
Trustee in Bankruptcy

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re BENJA INCORPORATED,

Debtor.

Case No. 20-30819-DM
Chapter 7

ORDER APPROVING STIPULATION
RE TOLLING AGREEMENT
(JOMBOY CORP.)

Upon due consideration, based upon the *Stipulation for Entry of Order re Tolling Agreement* (the "Stipulation," ECF 135) by and between Kyle Everett (the "Trustee") and Jomboy Corp. (the "Potential Litigant," and together with the Trustee, the "Parties"), it appearing that notice was adequate under the circumstances, and good cause appearing therefor, the Court hereby orders as follows:

1. The Stipulation is approved.
2. In any action or proceeding brought by the Trustee on behalf of the estate against the Potential Litigant, the period from the filing of the Stipulation through and including April 17, 2023, shall not be included in determining the applicability of any statute of limitations, laches, or any other defense based on the lapse of time.

ORDER APPROVING TOLLING AGREEMENT (JOMBOY CORP.)

1

1 3. To the extent that any applicable statute of limitations expires on or about October
2 17, 2022, it is extended through and including April 17, 2023, without prejudice to further
3 extensions by stipulation, order of the Court, or otherwise.

4 4. This Order shall extend the statutes of limitation available to both Parties during
5 the term of this Stipulation, including statutes of limitation that apply to any defense available to
6 the Parties.

7 5. This Order shall not operate as waiver and/or reinstatement of any statute of
8 limitations heretofore expired.

9 * * * **END OF ORDER** * * *

10
11 Approved as to form:

12 Dated: October 5, 2022_____

GREENBERG GLUSKER
FIELDS CLAMAN & MACHTINGER LLP

13
14 
15 _____
16 Keith Patrick Banner
17 Attorney for Jomboy Corp.
18
19
20
21
22
23
24
25
26
27
28

COURT SERVICE LIST

[ECF recipients only]

ORDER APPROVING TOLLING AGREEMENT (JOMBOY CORP.)

3